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ATTORNEYS FOR DEFENDANTS GERRY
SPENCE TRIAL INSTITUTE, GERALD L.
SPENCE, REX PARRIS, JOSEPH LOW, JOHN
ZELBST, KENT SPENCE AND GERRY
SPENCE METHOD AT THUNDERHEAD
RANCH, INC.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

THE TRIAL LAWYERS COLLEGE, a nonprofit
corporation,

Plaintiff.

vs.

GERRY SPENCE TRIAL INSTITUTE, a
nonprofit corporation and GERALD L. SPENCE,
JOHN ZELBST, REX PARRIS, JOSEPH H.
LOW, KENT SPENCE, JOHN JOYCE, and
DANIEL AMBROSE, individuals, GERRY
SPENCE METHOD AT THUNDERHEAD
RANCH, INC.,

Defendants.

Civil Action No. 1:20-CV-00080-JMC

**DEFENDANTS' NOTICE OF DEVELOPMENT
FOLLOWING JANUARY 10, 2025 EVIDENTIARY HEARING**

Defendants other than Daniel Ambrose, by counsel, advise the Court of the following:

1. Following evidence and argument on January 10, 2025, the Hon. Gregory Fouratt took under submission the parties' motions for contempt (Dkt. 596) and to enforce settlement (Dkt. 603). At that time Judge Fouratt directed the parties to apprise the Court of any developments that could affect his decisions on the motions.

2. Defendants had previously offered to make property identified by Plaintiff as included in par. 8 of the parties' confidential settlement ("Paragraph 8") available for pick up at Thunderhead Ranch, and reiterated that offer beginning in October 2024. In order to clarify Defendants' willingness to provide the property, respond promptly to the Court's January 10, 2025 observations, and provide a detailed protocol for the efficient, cost-effective, and final resolution of Paragraph 8, Defendants propose that the following be included in the Court's report and recommendations ("Report"):

3. The following protocol and schedule shall govern the disposition of any property covered by par. 8:

- a. Within ten (10) days of the Report, Plaintiff will provide Defendants' counsel with a list of all alumni or staff who purchased name boards other than (a) Defendants; (b) Defendants' family members (unless such family member(s) are currently affiliated with Plaintiff); and (c) current faculty of Gerry Spence Method ("List"). (The purpose of including current faculty of Gerry Spence Method is to avoid possible confusion over who is affiliated with Plaintiff. Current faculty are identified on Gerry Spence Method's website). The list should be sent to Defendants' counsel who appear on this pleading.

- b. Within ten (10) days of receipt of the List, Gerry Spence Method will have completed a search for all boards on the List, as well as any existing signs bearing the name “Trial Lawyers College” or the acronym “TLC” and any other property identified in Paragraph 8.
- c. It is expressly understood that some property was previously destroyed or dismantled in order to comply with previous Court orders or was removed by TLC from Thunderhead Ranch. It is further understood that there is property that (a) relates or refers to Thunderhead Ranch, but not to Trial Lawyers College, and (b) property that Plaintiff may not use pursuant to those provisions of the Permanent Injunction that restrain Plaintiff. Defendants are not intended or expected to provide such property.
- d. Within thirty (30) days of the date in subparagraph 2b above, Gerry Spence Method will have delivered to a secure location in Dubois, Wyoming the property that (a) exists, (b) is in Gerry Spence Method’s possession, and (c) does not contain (i) the names, images, or likenesses of one or more Defendants, (ii) the names, images, or likenesses of one or more Defendant’s family member(s) (not currently affiliated with Plaintiff), or (iii) the name, image, or likeness of Thunderhead Ranch. TLC shall specify such location.
- e. Defendants shall notify Plaintiff’s counsel upon delivery. TLC shall be responsible for making further arrangements, consistent with TLC’s previous acknowledgments that it would pick up property covered by the confidential settlement.

4. The above deadlines may be modified if and only to the extent that weather or road conditions make identification, packing, or delivery unfeasible or unsafe.

Respectfully submitted this 13th day of January, 2025.

/s/ Beth J. Kushner

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copy of the foregoing document has been served electronically by transmission to an electronic filing service provider for service through the Court's CM/ECF system to all parties on January 13, 2025.

/s/ Beth J. Kushner